

FILED

JAN 22 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

E-filed:

Attorneys Listed on Signature Page

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

RAMBUS INC.,

Plaintiff,

v.

HYNIX SEMICONDUCTOR INC., HYNIX
SEMICONDUCTOR AMERICA INC., HYNIX
SEMICONDUCTOR MANUFACTURING
AMERICA INC.,

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC.,
SAMSUNG SEMICONDUCTOR, INC.,
SAMSUNG AUSTIN SEMICONDUCTOR, L.P.,

NANYA TECHNOLOGY CORPORATION,
NANYA TECHNOLOGY CORPORATION
U.S.A.,

Defendants.

CASE NO. C 05-00334 RMW

**STIPULATION AND ~~ORDER~~
ORDER RESOLVING MICRON'S
OBJECTIONS TO SPECIAL
MASTER'S DECEMBER 14, 2007
ORDER**

Date: January 17, 2008

Time: 2:00 p.m.

Judge: Hon. Ronald M. Whyte

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RAMBUS INC., Plaintiff, vs. MICRON TECHNOLOGY, INC., and MICRON SEMICONDUCTOR PRODUCTS, INC., Defendants.
HYNIX SEMICONDUCTOR INC., HYNIX SEMICONDUCTOR AMERICA INC., HYNIX SEMICONDUCTOR MANUFACTURING AMERICA INC., Plaintiffs, vs. RAMBUS INC., Defendant.

CASE NO. C 06-00244 RMW

CASE NO. C 00-20905 RMW

1 WHEREAS, on January 4, 2008, Micron appealed a December 14, 2008 order
2 from the Special Master, the Honorable Read A. Ambler, in which Judge Ambler denied
3 Micron's motion to compel a 30(b)(6) deposition of Rambus on topics relating to market and
4 licensing issues;

5 WHEREAS, Micron has asked Rambus to stipulate that one sentence in the
6 December 14, 2008 order would have no binding effect in later proceedings in this or other
7 actions. The sentence in dispute is at page 5, lines 2-3, of the order;

8 WHEREAS, Micron is not disputing or appealing the result of the order, that there
9 will be no 30(b)(6) deposition on the deposition notice that was the subject of the order; and

10 WHEREAS, Rambus disagrees that the disputed sentence in the December 14
11 order is incorrect, nevertheless, Rambus has agreed that the sentence "Rambus's *contentions*
12 regarding infringement of its patents are not relevant to whether Rambus has market power" is
13 not binding on this or other courts in future proceedings.

14 THEREFORE, IT IS STIPULATED AND ORDERED THAT the sentence at page
15 5, lines 2-3, of the Special Master's December 14, 2007 order denying Micron's motion to
16 compel shall not be binding on this or other courts in future proceedings. The result of the
17 December 14, 2007 order -- that Micron can not take the requested 30(b)(6) deposition of
18 Rambus on marketing and licensing issues -- is not impacted by this stipulated order. This
19 stipulation is not and shall not be treated as evidence or an admission respecting the accuracy or
20 inaccuracy of the disputed sentence. Micron's appeal from the December 14, 2007 order is thus
21 withdrawn as moot.

22
23 **SO ORDERED.**

24
25 DATED: 1/16/08

Ronald M. Whyte

26 Hon. Ronald M. Whyte
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